

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

PAMELA NAGY,

Plaintiff,

v.

Case No. 06-13881  
Honorable Patrick J. Duggan

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

**OPINION AND ORDER**

At a session of said Court, held in the U.S.  
District Courthouse, Eastern District  
of Michigan, on December 19, 2007.

PRESENT:           THE HONORABLE PATRICK J. DUGGAN  
                         U.S. DISTRICT COURT JUDGE

On August 31, 2006, Plaintiff filed this lawsuit challenging a final decision of the Commissioner denying Plaintiff's application for Social Security Disability Insurance Benefits. Defendant subsequently filed a motion for summary judgment, which this Court referred to Magistrate Judge Virginia M. Morgan. Although receiving an extension to file her motion for summary judgment, Plaintiff never filed such a motion.<sup>1</sup>

On October 5, 2007, Magistrate Judge Morgan filed a Report and

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<sup>1</sup>Pursuant to a May 1, 2007 Scheduling Order, Plaintiff's motion for summary judgment was due on or before June 4, 2007. On July 11, 2007, Magistrate Judge Morgan issued an order extending that date to July 3, 2007.

Recommendation (R&R), recommending that this Court grant Defendant's motion for summary judgment. At the conclusion of her R&R, Magistrate Judge Morgan advises the parties that they may object to and seek review of the R&R within ten days of service upon them. She further specifically advises the parties that “[f]ailure to file specific objections constitutes a waiver of any further right of appeal.” R&R at 6 (*citing Thomas v. Arn*, 474 U.S. 140 (1985); *Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505 (6<sup>th</sup> Cir. 1991); and *United States v. Walters*, 638 F.2d 947 (6<sup>th</sup> Cir. 1981)). Neither party filed objections to the R&R.

The Court has carefully reviewed the R&R and concurs with the conclusions reached by Magistrate Judge Morgan. Accordingly,

**IT IS ORDERED**, that Defendant's motion for summary judgment is  
**GRANTED**.

s/PATRICK J. DUGGAN  
UNITED STATES DISTRICT JUDGE

Copies to:  
J. Gregory Frye, Esq.  
AUSA Janet L. Parker  
Magistrate Judge Virginia M. Morgan